



**BYLAW NO. 10-21  
OF THE TOWN OF STRATHMORE  
IN THE PROVINCE OF ALBERTA**

**A BYLAW OF THE TOWN OF STRATHMORE, IN THE PROVINCE OF ALBERTA, TO CONTROL AND REGULATE THE LOCATION AND PLACEMENT OF TEMPORARY SIGNS OR POSTERS FOR THE PURPOSE OF ADVERTISING GARAGE SALES, LOST ANIMALS AND SIMILAR EVENTS.**

**WHEREAS** Section 7 of the *Municipal Government Act, R.S.A. 2000, c. M-26*, permits the Council to pass bylaws respecting people, activities and things in, on or near a public place; nuisances; transportation systems; and public utilities;

**AND WHEREAS** the Council deems it necessary and appropriate to control and regulate the location and placement of this type of signage.

**NOW THEREFORE, THE COUNCIL OF THE TOWN OF STRATHMORE, IN THE PROVINCE OF ALBERTA, DULY ASSEMBLED, HEREBY ENACTS AS FOLLOWS:**

**TITLE OF BYLAW**

101. This Bylaw may be cited as the “Temporary Signs & Posters Bylaw” and does not govern temporary signs that are regulated under the Town of Strathmore’s Land Use Bylaw #89-20 and amendments thereto.

**DEFINITIONS AND INTERPRETATIONS**

201. In this Bylaw:

- (a) “Boulevard” means a strip of grass, gravel or pavement between a sidewalk or property line and a road, and located adjacent to a curb placed in order to both beautify the street and to provide a buffer between Vehicles and pedestrians;
- (b) “Community Sign Board” means a structure placed by the Town in pre-approved locations, as provided in Schedule A, for the purpose of allowing the temporary posting of handbills, notices, posters, or similar devices, by Persons;

- (c) "Chief Administrative Officer (CAO)" means the Person appointed to the position of Chief Administrative Officer by the Council of the Town of Strathmore and includes any Person that the CAO may appoint as his designate for purposes of carrying out his responsibilities under this Bylaw, and further includes any Person that may be appointed to act in the absence of the CAO;
- (d) "Garage Sale" means the sale of personal or household goods from a residential property;
- (e) "Garage Sale Sign" means a Sign advertising the sale of personal or household goods from a residential property;
- (f) "Highway" means any thoroughfare, street, road, trail, avenue, parkway, driveway, viaduct, lane, alley, square, bridge, causeway, trestle way or other place which is publically or privately owned, any part of which the public is ordinarily entitled or permitted to use for the passage or parking of vehicles, and includes
  - (i) a Sidewalk, including the Boulevard portion of the Sidewalk;
  - (ii) if a ditch lies adjacent to and parallel with the roadway, the ditch; and
  - (iii) if a Highway right of way is contained between fences or between a fence and one side of the roadway, all the land between the fence and the edge of the roadway, as the case may be;
- (g) "Median" means a physical barrier or area that separates traffic travelling in one direction from travelling in the opposite direction on a Highway;
- (h) "Municipal Property" means structures, equipment or things owned by the Town which are on Highways;
- (i) "Peace Officer" means a member of the Royal Canadian Mounted Police, a Peace Officer appointed pursuant to the Alberta Peace Officer Act or a Bylaw Enforcement Officer employed by the Town of Strathmore;
- (j) "Person" means a natural Person or a body corporate and includes a partnership, or a group of Persons acting in concert or association;
- (k) "Pole" means a circular or octagonal pole that is either metal or wood including but not limited to street lights and utility poles;

- (l) "Poster" means a Sign which is not self supporting and is attached with its back surface in contact with a pole or wall or other structure and is secured by tape, glue, tacks, staples or other means;
- (m) "Sidewalk" means that part of a Highway especially adapted to the use of or ordinarily used by pedestrians, and includes that part of a Highway between the curb or edge of roadway and adjacent property line whether or not paved or improved;
- (n) "Sign" means an inscribed board, Poster, banner, flag or other similar instructional, advertising, or promotional device;
- (o) "Sign-Owner" means any person who owns, rents or resides at the property described on a Sign, whose name, address or telephone number is on the sign, who created a Sign, who installed a Sign, who is in lawful control of a sign, or who is the subject or otherwise benefits from the message of a Sign, and for the purposes of this bylaw there may be more than one Sign-Owner for each Sign;
- (p) "Street Light Standard" means a circular or octagonal street light pole that is either metal or wood with the luminary facing down.
- (q) "Traffic Control Device" means any sign, signal, marking or device placed, marked or erected under the authority of the Traffic Safety Act RSA 2000, Chapter T-6 and amendments thereto for the purpose of regulating, warning or guiding traffic.
- (r) "Traffic Island" means a physical barrier or strip of land which channels traffic into a specific route or controls turns at an intersection or provides refuge to protect and aid pedestrians crossing a Highway or aids in the loading or unloading of transit riders.
- (s) "Violation Tag" means a Bylaw violation tag, in a form as approved by the CAO, issued in lieu of prosecution by a Peace Officer employed by the Town, pursuant to the provisions *Municipal Government Act, R.S.A. 2000, c. M-26*;
- (t) "Violation Ticket" means a violation ticket issued by a Peace Officer, pursuant to the provisions of the *Provincial Offences Procedure Act, R.S.A. 2000, c. P-34*.

## GENERAL PROVISIONS

301. An Owner or occupant of a residence who holds a Garage Sale may only display a maximum of four (4) Signs for the purpose of advertising the Garage Sale.
303. Garage Sale Signs may be placed on the boulevard only on the day prior to and on the day(s) of the Garage Sale.
304. No Sign-Owner shall cause, permit, or allow a Garage Sale Sign or other Poster to be placed on a Highway, Median, Road, Sidewalk, mailbox, garbage/recycling receptacle, Street Light Standard, Pole, Traffic Control Device, or Traffic Island.
305. Any Sign that impedes or interferes with the work of a Town operation, or which creates a hazard to public safety, may be removed and disposed of by a Town employee, Peace Officer or agent of the Town without notice to the Owner of the Sign.
306. Any Sign which a Peace Officer finds placed in breach of this Bylaw may be removed and impounded without prior notice to the Owner.
307. Any Sign impounded pursuant to the provision of this Bylaw which has not been claimed by the Sign-Owner within twenty-one (21) days of impoundment may be destroyed without compensation by the Town to the Sign-Owner.

## ENFORCEMENT

401. Where a Peace Officer has reasonable grounds to believe that a person has contravened any provision of this Bylaw, the Peace Officer may commence enforcement of the Bylaw in relation to that person by:
  - a) issuing the person a Violation Ticket pursuant to the provisions of Part 2 of the *Provincial Offences Procedure Act*;
  - b) swearing out an Information and Complaint against the person; or
  - c) in lieu of prosecution, issuing the person a Violation Tag in a manner as approved by the CAO.

402. Where a Peace Officer issues a person a Violation Ticket pursuant to Section 401(a) of this Bylaw, he may either:
- a) allow the person to pay the Specified Penalty for the offence, as provided for in Schedule "B" of this Bylaw, by indicating such specified penalty on the Violation Ticket; or
  - b) require a Court appearance of the person where the Peace Officer believes that such appearance is in public interest, pursuant to the provisions of the *Provincial Offences Procedure Act*.
403. No provision of this Bylaw or any action taken pursuant to any provision of this Bylaw shall restrict or preclude the Town from pursuing an action for compensation for damage caused to Town property, or from pursuing any other remedy as provided by the *Municipal Government Act*, or other law of the Province of Alberta, or any other Bylaw of the Town of Strathmore.

#### **GENERAL PENALTY PROVISIONS**

501. Where a Peace Officer issues a person a Violation Tag pursuant to Section 401(c) of this Bylaw, and the person submits payment to the Town in the manner and amount indicated, and within the noted time allowed for payment, the person shall not be prosecuted for the subject offence.
502. The penalty in lieu of prosecution for a violation of any provision of this Bylaw proceeded with by way of a Violation Tag shall be one-half (50%) of the amount of the specified penalty provided for the offence in Schedule "A" of this Bylaw.
503. The specified penalty applicable for an offence proceeded with by way of a Violation Ticket shall be the amount provided for the offence in Schedule "A" of this Bylaw, and the minimum fine that may be imposed by the Court shall be one-half (50%) of that amount.
504. Where a person has been previously convicted of an offence under this Bylaw, the specified penalty applicable for any subsequent offence occurring within two (2) years of the initial offence date shall be double (200%) the amount provided for the initial offence in Schedule "A" of this Bylaw.

#### **INTENTION OF THE COUNCIL**

601. It is the intention of the Council of the Town of Strathmore that each provision of this Bylaw should be considered as being separate and severable from all other provisions. Should any section or provision of



**SCHEDULE "A"**  
**SPECIFIED PENALTIES**

Penalty in lieu of prosecution (Violation Tag)	\$100.00
All sections (Violation Ticket)	\$200.00